

Notice of Allowability

Application No.

09/712,915

Examiner

Jalatee Worjloh

Applicant(s)

MORITSU ET AL.

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/28/2004.
2. ☒ The allowed claim(s) is/are 15-21 and 29-42.
3. ☒ The drawings filed on 11-16-2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

JAMES P. THAMMIELA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Daniel Stanger (Reg. No. 32846) on October 18, 2004.

The application has been amended as follows:

Claim 15. (Currently Amended) A recording medium for recording a contract processing program for enabling a contract processing system to execute a contract process for processing a contract for provision of a commodity or service, wherein said contract process comprises:

a process for electronically creating contract data containing said contract content and a negotiating ID determined between concerned parties on said contract;

a process for electronically using said negotiating ID as a key, description data corresponding to said contract data from multiple description data containing a description content about said commodity or service having been transferred between the concerned parties about said contract before concluding said contract;

a process for electronically inserting a data string determined with regard to said retrieved description data in said contract data; and

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a process for appending an electronic signature of at least of said concerned parties to said contract data containing said data string.

Claim 29. (Currently Amended) A method for processing a contract for provision of a commodity or service, comprising the steps of:

electronically creating contract data containing said contract content and a negotiating ID determined between concerned parties on said contract;

electronically retrieving, using said negotiating ID as a key, description data corresponding to said contract data from multiple description data containing a description content about said commodity or service having been transferred between the concerned parties about said contract before concluding said contract;

electronically inserting a data string determined with regard to said retrieved description data in said contract data; and

electronically appending an electronic signature of at least one of said concerned parties to said contract data containing said data string.

Allowable Subject Matter

2. Claims 15-21 and 29-42 are allowed.

Reason for Allowance

3. The following is an examiner's statement of reasons for allowance:

The closest prior art of record is U.S. Patent No. 6061792 to Simon.

Simon discloses a system and method that facilitate a fair exchange of time independent information goods between a first party's computer and a second party's computer over a network, such as the Internet. The first party's computer creates a signed digital contract proposal concerning the exchange of information goods and transmits the proposal over the network to the second party's computer. Upon receipt of the contract or goods from the second party, the first party's computer supplies its information goods to the second party's computer. Simon taken either individually or in combination with other prior art of record fails to teach or suggest a retrieving, using said negotiating ID as a key, description data corresponding to said contract data from multiple description data containing a description content about said commodity or service having been transferred between the concerned parties about said contract before concluding said contract as recited in independent claims 15, 29 and 36.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- "Optimal Efficiency of Optimistic Contract signing" to Pfitzmann et al. describes an optimistic contract signing protocol.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jalatee Worjloh whose telephone number is 703-305-0057. The examiner can normally be reached on Mondays-Thursdays 8:30 - 7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306 for Regular and After Final Actions and 703-746-9443 for Non-Official/Draft.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

***Commissioner of Patents and Trademarks
PO Box 1450
Alexandria, VA 22313-1450***

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, V.A., Seventh floor receptionist.

October 18, 2004